

**Ravalli County Planning Board  
Meeting Minutes for October 1, 2008  
7:00 p.m.  
Commissioners Meeting Room, 215 S. 4<sup>th</sup> Street, Hamilton, Montana**

**Public Meeting**

Shoshone Lakes Two Variance Requests (Drake Lemm Construction, Inc.) on the Future  
Shoshone Lakes Major Subdivision

*This is a summary of the meeting, not a verbatim transcript. A CD of the meeting  
may be purchased from the Planning Department for \$5.00.*

**1. Call to order**

**Lee** called the meeting to order at 7:02 p.m.

**2. Roll Call** (See Attachment A, Roll Call Sheet)

(A) Members

Mary Lee Bailey (present)  
Dale Brown (present)  
John Carbin (absent - excused)  
Jim Dawson (present)  
Ben Hillicoss (present)  
Dan Huls (present)  
JR Iman (present)  
Lee Kierig (present)  
Chip Pigman (present)  
Les Rutledge (present)  
Jan Wisniewski (present)

Park Board Representative: Bob Cron (present)

(B) Staff

John Lavey  
Danielle High

**3. Approval of Minutes**

**Lee** asked if there were any corrections or additions to the minutes from August 20, 2008.  
There were none. The minutes were approved.

**4. Amendments to the Agenda**

There were none.

**5. Correspondence**

**Lee** asked if any correspondence had been received. **John** replied that he had received a letter from the developer's lawyer. (See Attachment B, Letter from Sullivan Tabaracci & Rhoades)

6. **Disclosure of Possible/Perceived Conflicts**

There were none.

7. **Public Meeting**

(A) Shoshone Lakes Two Variance Requests (Drake Lemm Construction, Inc) on Future Shoshone Lakes Major Subdivision

(a) Staff Report on the Proposal: **John Lavey** gave a presentation. He gave an overview of the proposal and stated Staff had initially recommended denial of Variance #1 because Staff had not received information that Nez Perce and Lake View were private drives. He stated Staff now recommends conditional approval based on the fact that the Hamilton Fire Department was fine with an approval of a turnaround at 1400 feet and a turnaround at 2700 feet. John recommended that, prior to final plat approval of the subdivision, the applicant obtain a letter from the Fire Department stating that they have approved of the location and construction of the turnarounds. He stated that staff recommends conditional approval of Variance #2. He entered the Staff Report into the record. (See Attachment C, Shoshone Lakes Two Variance Requests Staff Report)

(b) Presentation by Subdivider's Representative

**Emily Corsi**, of Eli & Associates, stated there were two variance requests, one for cul-de-sac length and the other one for pro rata in lieu of road improvements. She said that the Hamilton Fire Department was fine with these as long as a few things were met: an emergency turnaround at 1400 feet and 2700 feet, buildings are built to the IRBC, and a thousand gallons of water per minute are available for the Fire Department. She stated that there was no legal access through Nez Perce and Lake View.

**Bob** asked if they were going to pave South Shoshone Loop to Skalkaho Highway.

**Emily** replied that they were going to pave South Shoshone Loop from Skalkaho Highway to West Shoshone Drive.

**Jim** asked if they did try and get legal access onto Nez Perce.

**Emily** answered that they do not have access to Nez Perce and Lake View because they were built to serve the residents of those subdivisions. She said that it is a possibility that they could meet with the neighbors and ask them, but she stated that it would be a lot of people to try to get on board with them.

**Drake Lemm**, the developer, then spoke up and said that he already talked to some of the people who live on Nez Perce and Lake View and they were not interested in allowing access onto Nez Perce.

**JR** asked if the three lots to the west are owned by the same person that is proposing the subdivision.

**Emily** replied that they are owned by the same people.

**JR** asked if there was an easement created to those three lots.

**Emily** replied that there was and it is on Certificate of Survey 607129-R.

**JR** asked how the three parcels to the West were created.

**Emily** answered that they were created by subdivision exemption, through a boundary line relocation.

**JR** asked if they would be leaving the sixty foot easement on these three parcels.

**Drake Lemm** answered that they did not anticipate that they would. They were going to leave the utility easement though.

- (c) Acceptance of written public comments to transmit to the Ravalli County Commissioners, and a brief explanation of effective ways for the public to comment on subdivision proposals.

**Tim Beilby** came forward and submitted two written comments. (See Attachments D & E)

- (d) Board Deliberation and Recommendation on Variance Request 1 (Cul-de-sac length)

**Lee** asked if the board had any other discussion items. He also noted that he would like to see Mr. Lemm keep the 60-foot easement for future purposes.

**Drake Lemm** responded that he would keep the 60-foot easement.

**Chip** responded that he would like to approve Variance #1 based on the findings and facts of the staff report subject to the condition that Mr. Lemm gets a letter from the Hamilton Rural Fire Department approving the cul-de-sac and turnaround.

**Mary Lee** seconded the motion.

**Les** suggested that the Board modify the letter to ask the Fire Department if they accept the fact that there will be no emergency exit.

**Mary Lee** brought up the fact that there is no place to put one because Lots 1A, 1B, and 2A were not part of the subdivision.

**JR** added that he would like to make an amendment to add that the 60-foot easement on the remaining three lots be retained in present condition.

**John** explained that since they are not part of the subdivision, the Planning Board and Commissioners cannot require that anything be done to the lots.

**JR** then took back the amendment and asked that Staff include it in the staff report as a recommendation.

**The vote was called; the members voted (10-0) to approve the motion.** (See attachment F, Vote Sheet)

- (e) Board Deliberation and Recommendation on Variance Request 2 (Pro rata in lieu of road improvements)

**Chip** called a motion that they conditionally approve Variance 2 on findings and facts of the staff report.

**Dale Brown** seconded the motion.

**JR** wanted to make recommendation for the Commissioners to encourage the applicant to leave the 60-foot easement that connects Shoshone to Lakeview as it stands on Certificate of Survey 607129-R.

**Jim** seconded the motion.

**A voice vote was called; the members voted (10-0) to approve the motion.**  
(See attachment G, Vote Sheet)

**8. Communications from Staff**

**(A) Update on Planning Department transition plan**

**John Lavey** stated that the following changes would be occurring in the Planning Department: Renee Lemon will be leaving the interim Planning Director position effective October 10, 2008; John Lavey will be filling in starting October 13, 2008, until we can fill the Planning Director position. Vanessa Morrell will be taking over the zoning project until she leaves, which is unknown. When she does leave, John will be taking over the zoning project. Tristan Riddell will be moved to Planner II when John takes over as Interim Director and Randy Fifrick will be moved from Assistant Planner to Planner I.

**(B) Update on Countywide Zoning Project**

**John Lavey** stated that the last day to submit comments on Draft C Zoning was September 29, 2008, and that we have received around fifty comments. Vanessa will compile and enter the comments and then give a staff report summarizing public comment. County Commissioners will provide direction on Draft D. Staff will create Draft D. Staff, boards and departments will have an internal review of Draft D. The County Commissioners will make a final decision on Draft D. Staff will start the process of notification and updating the residents on Draft D.

**(C) Appointment of Planning Board member to the Open Lands Board**

**Lee** stated that he is resigning from the OLB because he just had too much to do. He also asked if there was anyone interested in joining the Open Lands Board.

**Les** replied that he would like to be a part of the Open Lands Board. He said that he has been a part of the Bitter Root Land Trust for seven years and on the board for four. He said that if he could be part of the Open Lands Board, he would resign from the Bitter Root Land Trust Board.

**Dale** made the motion to nominate Les to the Open Lands Board.

**Mary Lee** seconded the motion.

**The vote was called; the members voted (10-0) for Les to represent the Planning Board on the Open Lands Board**

**9. Communications from Public**

There was none.

**10. Communications from The Board**

**JR** stated that the Bitterroot Conservation District worked to rescind the designation of Farmland of Local Importance. A letter to that effect was sent to the County Attorney's Office and the Commissioners' Department.

11. **New Business**

There was none

12. **Old Business**

There was none.

13. **Next Regularly Scheduled Meeting:** October 15, 2008 at 3:00 p.m. - TBA

14. **Adjournment**

**Lee** adjourned the meeting at 8:45 p.m.